

affordable to maintain ownership of the home, and ensured it would be available when they were in town. Spivey asked Karsunky if there would be a property manager when they were out of town, as he and Windsor expressed concern that Kaagwaantaan was a one-way street with a low speed limit. Karsunky answered that her mother would serve as the property manager and would be available to help address concerns at the property. Karen Lucas gave public comment. Lucas stated that she was not for or against the request, but noted that the home was a new construction in a quiet, residential area, the Indian Village. Lucas expressed that she did not want to see a change in the culture of the neighborhood. Colvin noted that this request was consistent with the purpose of short-term rentals; to rent out a property when the owners were not in it, and could not be otherwise utilized for long-term housing. Hughey stated that he felt having a property manager in town adequately mitigated concerns for traffic or other potential impacts.

**M-Hughey/S-Windsor moved to approve the conditional use permit for a short-term rental at 298 Kaagwaantaan Street in the R-1 zoning district subject to the conditions as stated in the staff report. The property is also known as Lot 4, Allen/Carlson Subdivision. The request is filed by Alexander and Jaycie Karsunky. The owners of record are Alexander and Jaycie Karsunky. Motion passed 4-0 by voice vote.**

**M-Hughey/S-Windsor moved to approve and adopt the required findings as written in the staff report. Motion passed 4-0 by voice vote.**

I P 19-01

Public hearing and consideration of a conceptual plat to create a 5-lot hybrid subdivision at 123 Anna Drive in the R-2 zoning district. The property is also known as Lot 3, Miller Subdivision. The applicant is Daniel Falvey. The owners of record are Daniel Falvey and Kathleen O'Gara.

**Attachments:**     [P 19-01 Falvey 123 Anna Drive Staff Report](#)  
[P 19-01 Falvey 123 Anna Drive Aerial](#)  
[P 19-01 Falvey 123 Anna Drive Site Plan](#)  
[P 19-01 Falvey 123 Anna Drive Photos](#)  
[P 19-01 Falvey 123 Anna Drive Plat](#)  
[P 19-01 Falvey 123 Anna Drive Administrative Back-Up](#)

Brylinsky delivered the staff report, and noted that there was not a preliminary plat yet, as the applicant wanted to get feedback from the Commission before the expense of surveying services. Brylinsky described hybrid subdivisions and provided examples to illustrate the differences between minor subdivisions and hybrid minor subdivisions. Brylinsky made a correction to the staff report that 121 Anna Drive was in fact a party to the road maintenance agreement. Brylinsky suggested requiring updated easement and utility agreements as a part of this platting action. Windsor asked why the Commission should insist on a utility agreement, Brylinsky answered that utility and access agreements were requirements per the subdivision code when new subdivisions were created; this step had been neglected when the Miller Subdivision was originally created. Colvin asked if the utility system could handle an additional residence, Brylinsky answered that there was an eight inch line with a pressure booster, so the system could handle much more use than was currently utilized. Hughey asked for clarification if the new lot would connect below the pressure booster and why, Brylinsky answered that the lot would have adequate pressure at that connection point.

The applicant, Dan Falvey, came forward. Falvey stated that there were still a lot of

"moving pieces" to figure out, but wanted to know if the action was worth pursuing before spending considerable money. Falvey recognized that his property is in an R-2 zone, so he could have built more housing on his property as it was, but felt subdividing the property allowed for more flexibility. Falvey stated that it was not fully decided whether the new lot would connect to utilities before or after the pressure booster. There were some advantages of connecting after the booster, as it would be one more user to share the cost of maintenance. Without a formal utilities maintenance agreement, the subdivision operated under essentially a "gentlemen's agreement" to share the costs; Falvey was taking on the work and upfront expense of maintenance which had totalled approximately \$16,000 in recent years and was reimbursed by his neighbors at later dates. Though the neighborhood equitably shared the expense eventually, Falvey had concerns about changes in ownership in the future that could change the practice; the creation of the new lot would be an opportunity to clean-up the agreements. The creation of the new lot would also be a chance to improve the road and drainage. Windsor asked Falvey where he would build a structure on the newly created lot, Falvey answered that he would build where an existing shed and foundation were, on the west side of the creek that ran through the property. Falvey envisioned an approximately 1200 square foot home.

David Hunt, the owner of 121 Anna Drive, gave public comment. Hunt expressed concern about losing access to his driveway as had been designated in the easement agreement written in 1993, and about drainage. With increased landslide activity in recent years, and how fast the creek in the subdivision could run during heavy rains, Hunt had concerns about the effects of development on the new lot.

Spivey clarified that all new subdivisions required drainage reports and that Hunt's concerns would be better answered, and potentially mitigated, through the report process.

**M-Hughey/S-Colvin moved to approve the conceptual plat to create a 5-lot hybrid subdivision at 123 Anna Drive in the R-2 zoning district subject to following the processes and standards as required by code, including an engineered drainage report and plan. The property is also known as Lot 3, Miller Subdivision. The applicant is Daniel Falvey. The owners of record are Daniel Falvey and Kathleen O'Gara. Motion passed 4-0 by voice vote.**

## **VIII. ADJOURNMENT**

Seeing no objection, Spivey adjourned the meeting at 8:23 p.m.